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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 SHANE HUMPHREY,) Case No.: 1:20-cv-00507-NONE-SAB (PC)
12 Plaintiff,)
13 v.) ORDER LIFTING STAY OF PROCEEDINGS,
14 MAURICE HOWARD, *et al.*,) VACATING NOVEMBER 12, 2020 SETTLEMENT
15 Defendants.) CONFERENCE, AND DIRECTING CLERK OF
16) COURT TO ISSUE THE DISCOVERY AND
17) SCHEDULING ORDER
) (ECF No. 24)
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)
)

18 Plaintiff Shane Humphrey is proceeding *pro se* and *in forma pauperis* in this civil rights action
19 pursuant to 42 U.S.C. § 1983.

20 On September 18, 2020, the Court identified this case as an appropriate case for the post-
21 screening ADR (Alternative Dispute Resolution) project, and stayed the action to allow the parties an
22 opportunity to settle their dispute before the discovery process begins. (ECF No. 21.) The Court's
23 order granted Defendant time to investigate and determine whether to opt out of the post-screening
24 ADR project.

25 On October 19, 2020, Defendant filed a request to opt out and vacate settlement conference.
26 (ECF No. 24.) Defendant states that after fully investigating Plaintiff's allegations, and conferring
27 with Plaintiff by telephone on October 15, 2020, defense counsel believes that Plaintiff's demand and
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1 any amount Defendant would consider for settlement are currently too far from each other for a
2 settlement conference to be fruitful at this time. (Id.)

3 After review, the Court finds good cause to grant Defendant's request. Therefore, the stay is
4 lifted, and the November 12, 2020, settlement is vacated. This case is now ready to proceed.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The stay of this action, (ECF No. 21), is LIFTED;
- 7 2. The November 12, 2020 settlement conference is VACATED; and
- 8 3. The Clerk of the Court is DIRECTED to issue a discovery and scheduling.

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10 IT IS SO ORDERED.

11 Dated: October 19, 2020


UNITED STATES MAGISTRATE JUDGE